

REMARKS

A. Status of Claims

Without prejudice, the claims have been amended to clarify the claimed invention. Specifically, claims 1 and 38 have been amended to indicate that the system is an internet-based system, and, as an internet-based system, access to the system is provided to an unlimited and unknown group of candidates. Support for this amendment can be found on page 3, ll. 1-5, 5, ll 7-10, and is inherent to the internet. Claims 1 has also been amended to indicate that a database is populated with candidate information by prompting each candidate for information related to one or more predetermined fields of the database. Other claims have been amended for consistency. No new matter was added.

B. Examiner Interview

Applicant gratefully acknowledges the time the Examiner spent during the 19 December 2006 interview. Although agreement was not reached, applicant nevertheless appreciated the opportunity to demonstrate the internet-based system of the claimed invention and to emphasize the difference between the claims, as amended, and the Parrish reference. The Examiner stated in this regard that notwithstanding the patentability of the claims over Parrish, it was questionable whether the claims were patentably distinct over the references cited in Taylor (US patent No. 5,832,497), even though Taylor had been removed as a reference by virtue of filing a 1.131 declaration.

Applicant has attempted to address the Examiner's concerns by trying to download the articles cited in Taylor. Unfortunately, only a couple of abstracts could be downloaded. (We will order the file history to obtain all of them.) In the meantime, Applicant would appreciate knowing which articles the Examiner feels material affect the patentability of the claims. Applicant has reviewed abstracts for "An Object-Oriented Implementation Of An Adaptive Classification Of Job Opening" and for "Top US sources for an Online Job Search" (attached), and does not see the relevance. In both cases, it appears that the emphasis is on listings jobs for online searches by candidates. Although the latter article does mention listing resumes online no additional detail is provided in the abstract.

C. Prior art Rejections

The Examiner rejected claims 21, 23 and 38 under 102(b) as being anticipated by Parrish, (US Patent No. 5416694). The Examiner rejected the remaining claims over Parrish in light of Sobolka et al (US Patent No 5197004).

In response, applicant submits that the claims, as amended, are patentably distinct over Parrish and Sobolka. The claim now emphasizes that the system is internet-based, and, as an internet-based system, access to the system is provided to an unlimited and unknown group of candidates. Such an amendment is consistent with our remarks that the claimed invention differs from Parrish in that it allows an unlimited and previously “unknown” group of candidates who have certain qualification to become “known” to employers who are looking for people with those qualifications. Parrish, on the other hand, involves interviewing companies to derive what qualifications they are seeking in people, establishing a database of those qualifications, and then counseling known “clients” on how to obtain the qualifications sought.

Therefore, the claimed invention differs from Parrish in at least the following ways: (1) in the claimed invention, candidates populate the database with their information for employers to search, while in Parrish, a service populates a database with information obtained by interviewing companies for the service to search, (2) in the claimed invention, the database information is obtained from an unlimited and unknown group of candidates, while in Parrish, the information is obtained from a known and finite group of companies interviewed, (3) the database search result in the claimed invention is a list of candidates having the qualifications sought by the employer, while the search result in Parrish is a list of qualifications sought by an employer. Applicant submits that these differences are not disclosed in Parrish alone or in combination with Sobolka, even if issues regarding the propriety of combining these references are ignored.

Accordingly, applicant respectfully requests that the rejection be withdrawn and the claims allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephen J. Driscoll', written over a horizontal line.

Stephen J. Driscoll
Registration No. 37,564
SYNNESTVEDT & LECHNER LLP
2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107-2950
Tele: (215) 923-4466
Fax: (215) 923-2189